

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

V.

SCOTT JACKSON DAVIS

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§

CRIMINAL NO. 4:21-cr-00577

**PETITION OF SANDRA RAMIREZ TO ADJUDICATE
INTEREST IN PROPERTY PURSUANT TO 21 U.S.C. § 853(n)**

This is a petition pursuant to 21 U.S.C. § 853(n) to request a hearing to adjudicate the validity of Petitioner's interest in the real property belonging to Petitioner, which is the subject to the Preliminary Order of Forfeiture issued by this Court on June 2, 2022.

On June 2, 2022, this Court entered a Preliminary Order of Forfeiture as to the real property and improvements located at 3019 Linkwood Drive, Houston, Harris County, Texas legally described as: Lot Eight (8), Block Ten (10), of the Knollwood Subdivision, Section Seven (7) a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 40, page 55, of the map records of Harris County, Texas.

On June 10, 2022, Petitioner received Notice of the Preliminary Order of Forfeiture from the Office of the U.S. Attorney, advising that the Petitioner is required to file a § 853(n) petition within thirty (30) days. Accordingly, the Petitioner is filing the instant petition.

BACKGROUND

Petitioner was the girlfriend of Scott Jackson Davis (Defendant). Petitioner and Defendant lived together at the subject residence. Petitioner purchased 3019 Linkwood Drive in either June or July 2003, which was long before her relationship with Defendant began. After her relationship with Defendant began, the Defendant approached her sometime in May or June of 2020 and told

Petitioner that he had paid off the mortgage on her home for her. Petitioner later called Wells Fargo and confirmed that the mortgage had in fact been paid in full. Petitioner had not requested that Defendant pay her mortgage off. The Defendant seemed to be doing very well in his business and was living large. Petitioner had no idea that the funds were not legitimately earned. 3019 Linkwood Drive is Petitioner's separate and sole property. Defendant gained no ownership interest by paying off the mortgage.

3019 Linkwood Drive is Petitioner's homestead, and she had no knowledge of a crime being committed in her homestead or that the funds used to pay off the mortgage were funds used or obtained from a crime.

AUTHORITY

Petitioner has not been indicted and there is no allegation that Petitioner was involved in any wrongdoing. Petitioner holds the sole interest and ownership of the real property in question.

Petitioner alleges that the Government cannot take her interest in the property in question. Pursuant to 21 U.S.C. § 853(a)(2), which reads: "any of the person's property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of. Such violation and..." Petitioner also alleges that the government cannot forfeit said property because 21 U.S.C. § 853(a), which reads in part as "... Any person convicted of a violation of this subchapter or subchapter II punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State Law -."

Petitioner requests that the forfeiture be set aside because she is the sole legal owner of the real property in question and that the Lis Pendens filed with the Official Records of Harris County, Texas be released.

WHEREFORE, Petitioner prays that a hearing is scheduled and after hearing the Preliminary Order of Forfeiture should be vacated, the property in question is returned to Petitioner and that the Notice of Lis Pends filed with Official Records of Harris County, Texas be released.

Respectfully submitted,

TRITICO RAINEY, P.L.L.C.

/s/ Christopher L. Tritico

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ATTORNEY FOR PETITIONER

SANDRA RAMIREZ

Sandra Ramirez hereby states under penalty of perjury that the foregoing petition is true and accurate.

Sandra Ramirez

Sandra Ramirez

7/7/2022

Date

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to all attorneys via the Court's electronic notification system on this the 7th day of July 2022.

/s/ Christopher L. Tritico
Christopher L. Tritico